

**ACTION AGENDA**  
Monday, October 28, 2013  
Worksession  
Committee of the Whole  
Regular Meeting

**WORKSESSION AGENDA**

**1. CALL TO ORDER, 4:00 P.M.**

Councilmember Van Dyke has requested excusal.

Mayor Wythe called the meeting to order at 4:00 p.m.

**2. AGENDA APPROVAL** (Only those matters on the noticed agenda may be considered, pursuant to City Council's Operating Manual, pg. 5)

The agenda was approved by consensus of the Council.

**3. 2014 Budget**

Budget Message for Fiscal Year 2014 from City Manager  
Memorandum 13-137 from City Manager, Re: Amendments to Employee Health Insurance Plan  
Memorandum 13-138 from Fire Chief, Re: Fire Department Budget Requests

**4. COMMENTS OF THE AUDIENCE**

There were no comments of the audience.

**5. ADJOURNMENT NO LATER THAN 4:50 P.M.**

Mayor Wythe adjourned the meeting at 4:56 p.m.

**COMMITTEE OF THE WHOLE AGENDA**

**2. CALL TO ORDER, 5:00 P.M.**

Councilmember Van Dyke has requested excusal.

Mayor Wythe called the meeting to order at 5:04 p.m.

2. **AGENDA APPROVAL** (Only those matters on the noticed agenda may be considered, pursuant to City Council's Operating Manual, pg. 5)

The agenda was approved by consensus of the Council.

3. **Ken Castner, Petition for Charter Commission Election**

4. **2014 BUDGET**

5. **CONSENT AGENDA**

6. **REGULAR MEETING AGENDA**

7. **COMMENTS OF THE AUDIENCE**

There was one who commented.

8. **ADJOURNMENT NO LATER THAN 5:50 P.M.**

Mayor Wythe adjourned the meeting at 5:30 p.m.

### **REGULAR MEETING AGENDA**

Session 13-21 a Regular Meeting of the Homer City Council was called to order on October 28, 2013 at 6:00 p.m. by Mayor Mary E. Wythe at the Homer City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska, and opened with the Pledge of Allegiance.

**PRESENT:** COUNCILMEMBERS: BURGESS, HOWARD, LEWIS, ROBERTS, ZAK

ABSENT: VAN DYKE (excused)

STAFF: CITY MANAGER WREDE  
CITY CLERK JOHNSON  
COMMUNITY & ECONOMIC DEVELOPMENT  
COORDINATOR KOESTER  
LIBRARY DIRECTOR DIXON  
PORT AND HARBOR DIRECTOR HAWKINS  
PROJECTS MANAGER NELSEN

Councilmember Van Dyke has requested excusal.

Mayor Wythe declared Councilmember Van Dyke's absence as excused. There was no objection from the Council.

Department Heads may be called upon from time to time to participate via teleconference.

## **2. AGENDA APPROVAL**

(Addition of items to or removing items from the agenda will be by unanimous consent of the Council. HCC 1.24.040.)

The following changes were made: **CONSENT AGENDA - Ordinance 13-44**, An Ordinance of the City Council of Homer, Alaska, Appropriating Funds for the Calendar Year 2014 for the General Fund, the Water-Sewer Fund, the Port/Harbor Fund, Debt Funds, and Capital Reserve Funds (Conditional Expenditures). City Manager. Written public comments.

The agenda as amended was approved by consensus of the Council.

## **3. PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA**

There were seven who commented.

## **4. RECONSIDERATION**

## **5. CONSENT AGENDA**

(Items listed below will be enacted by one motion. If separate discussion is desired on an item, that item may be removed from the Consent Agenda and placed on the Regular Meeting Agenda at the request of a Councilmember.)

- A. Homer City Council unapproved Regular meeting minutes of September 23 and October 14, 2013. City Clerk. Recommend adoption.
- B. **Memorandum 13-148**, from Mayor, Re: Appointment of Corbin Arno to the Economic Development Advisory Commission, Reappointment of Councilmember Bryan Zak to the Economic Development Advisory Commission as Consulting Member, and Reappointment of Matt North to the Permanent Fund Committee.
- C. **Memorandum 13-151**, from Deputy City Clerk, Re: Liquor License Renewal for Salty Dawg Saloon and Café Cups.
- D. **Ordinance 13-42**, An Ordinance of the City Council of Homer, Alaska, Amending the Definition of "Discontinued" in Homer City Code 21.61.015, Definitions, to Extend the Time Required to Discontinue a Nonconforming Use from 12 Months to 36 Months. Zak. Recommended dates: Introduction October 28, 2013, Refer to Planning Commission, Public Hearing and Second Reading November 25.

Moved to Ordinances.

- E. **Ordinance 13-43**, An Ordinance of the Homer City Council Authorizing the Expenditure of Homer Accelerated Water and Sewer Program (HAWSP) Funds for Paradise Place Sewer Main Extension and Approving the Creation of a Deferred Assessment on Benefitted Properties. City Manager/Public Works Director. Recommended dates: Introduction October 28, 2013, Public Hearing and Second Reading November 25, 2013.

Memorandum 13-150 from Public Works Inspector as backup.

- F. **Ordinance 13-44**, An Ordinance of the City Council of Homer, Alaska, Appropriating Funds for the Calendar Year 2014 for the General Fund, the Water-Sewer Fund, the Port/Harbor Fund, Debt Funds, and Capital Reserve Funds (Conditional Expenditures). City Manager. Recommended dates: Introduction October 28, 2013, Public Hearings November 25 and December 9, 2013, and Second Reading December 9, 2013.
- G. **Resolution 13-107**, A Resolution of the City Council of Homer, Alaska, Maintaining the City of Homer Fee Schedule at Current Rates. City Clerk. Recommended to follow Budget Ordinance 13-44 schedule.
- H. **Resolution 13-108**, A Resolution of the City Council of Homer, Alaska, Maintaining the Port and Harbor Terminal Tariff No. 600 at the Current Rates. City Clerk. Recommended to follow Budget Ordinance 13-44 schedule.
- I. **Resolution 13-109**, A Resolution of the Homer City Council Awarding the Bid for the Port and Harbor Surplus Dock Fenders to the Firm of Alaska Marine Excavation LLC of Anchor Point, Alaska, in the Amount of \$25,500 and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk. Recommend adoption.

Memorandum 13-152 from Port and Harbor Director as backup.

Item D – Ordinance 13-42 was moved to Ordinances.

The consent agenda as amended was approved by consensus of the Council.

## 6. VISITORS

- A. **Jim Lavrakas**, Homer Chamber of Commerce, 10 minutes.

Jim Lavrakas, Executive Director of the Homer Chamber of Commerce, provided an overview of the Chamber's marketing program. Funds from the City are used exclusively for advertising and promoting Homer. He requested \$50,000 contribution to the Chamber for next year's budget.

Some notable visitors to the City of Homer this year have been:

Trek America representatives from England, Germany, the Netherlands, and the U.S.; Cooke & Haggerty party; and Elizabeth Hey AAA's VIA magazine. Homer was also featured in Sunset Magazine. Mr. Lavrakas entertained an Anchorage Daily News photographer for the Shorebird Festival that resulted in over \$15,000 advertising with the ADN.

Future plans include increased promotions of Homer through television and website ads, the Alaska Milepost, a presence on 4<sup>th</sup> Avenue in Anchorage, a *They're Coming* campaign on the return of salmon to the Fishing Hole, a webcam for the harbor, and an effort to increase winter tourism.

B. **Ken Castner**, Petition for Charter Commission Election, 5 minutes.

Ken Castner and Ginny Espenshade made a presentation on the recently filed petition for a charter commission election.

Mr. Castner has filed a petition with the City for a charter commission to become a home rule city. There are many Alaskan cities with a home rule form of government. Being a home rule city means we can write our own constitution and establish how our government will operate as a city. We can even decide how our government is going to cooperate with non government organizations. A constitution can establish guidelines and open new pathways for the citizenry to feel more enfranchised with their government.

Mr. Castner put the petition together as he felt there is an ongoing marginalization of the electorate. The electorate is being asked to do less and less and there is a general malaise in the town that needs to be addressed. The process will allow us to talk about what the citizens expect of the elected officials.

Ginny Espenshade is attracted to the process as it is a way for Homer to decide if we have common core values. Can we develop guiding principles for the long term? She is a self-professed constitution geek. She teaches fifth graders and is thrilled to live in a state where there are still people alive that wrote the state constitution. The process won't be easy work; is the community willing to do the work? To be meaningful it must be a diverse group and a group ready to roll up their sleeves.

The most recent home rule city is Nenana, who adopted their charter in 1982. The earliest cities adopted their charters in 1960. There are currently twelve home rule cities in Alaska: Cordova, Fairbanks, Kenai, Ketchikan, Kodiak, Nenana, North Pole, Palmer, Petersburg, Seward, Valdez, and Wrangell. Anchorage is home rule borough. Cities can incorporate first and then become home rule at a later date.

A benefit Homer will have is hindsight. We can look at the other charters and see how many times they were amended or taken to court because the language wasn't clear.

Council suggested the process be inclusive and reach out to the community and make it meaningful. If the goal is to create consensus, it is important to be as inclusive as possible. A home rule city has significantly more power than the current government.

An example where a home rule government would be advantageous is for plat approvals of new subdivisions. A while back a group of Homer residents had to travel to Soldotna for a plat approval before the Borough Assembly. The approval was made by a group of people in the upper peninsula. Who is better suited to make local decisions than the local people?

The petition will be issued soon and 185 signatures must be collected. Following the certification of the petition, candidates that wish to serve on the commission are required to collect 50 signatures. An election will then be held to decide if there should be a charter commission, and if so, who the commissioners would be.

The process can either happen by Council passing a resolution or the citizens initiating the charter commission. Through the petition process, the sponsors enter into discussion about local government.

Mayor Wythe invited Mr. Castner and Ms. Espenshade to have an open forum at council meetings to present their cause. Council expressed the need to get the word out to the community.

Mayor Wythe called for a recess at 6:57 p.m. and reconvened the meeting at 7:03 p.m.

## **7. ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS**

The rules were suspended for a special mayoral proclamation to Port and Harbor Director Bryan Hawkins for his award of Harbormaster of the Year.

### **A. Mayor's Proclamation - *Extra Mile Day* - November 1, 2013**

Mayor Wythe read the proclamation.

### **B. Borough Report**

### **C. Commissions/Board Reports:**

1. Library Advisory Board
2. Homer Advisory Planning Commission
3. Economic Development Advisory Commission
4. Parks and Recreation Advisory Commission

5. Port and Harbor Advisory Commission

8. **PUBLIC HEARING(S)**

- A. **Ordinance 13-39**, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a Land and Water Conservation Fund Grant from the State of Alaska Division of Parks and Outdoor Recreation in the Amount of \$75,000 and Appropriating the Required Local Match in the Amount of \$75,000 for Improvements to Karen Hornaday Park and Authorizing the City Manager to Execute the Appropriate Documents. City Manager. Introduction October 14, 2013, Public Hearing and Second Reading October 28, 2013.

There was no public testimony.

ADOPTED without discussion.

- B. **Ordinance 13-40**, An Ordinance of the Homer City Council, Amending HCC 7.04.010, State Statutes Adopted by Reference, HCC 7.04.020, Copies of State Traffic Code on File, HCC 7.04.030, Violation—Penalty, HCC 7.08.010, Compliance with State Law, HCC 7.08.045, Handicapped Parking, HCC 7.08.058, Removal of Impoundment Notice, and HCC 10.04.110, Violation—Penalty; and Repealing HCC 7.04.023, State Schedule of Minor Traffic Offenses and Bail Forfeiture—Adopted, HCC 7.04.025, State Schedule of Minor Traffic Offenses and Bail Forfeiture--Conflict with General Penalty, HCC 7.06.100, Penalty and Fine Schedule, HCC 7.08.060, Violation—Penalty, HCC 7.20.010, Compliance with State Law, HCC 7.20.080, Violation—Penalty, HCC Chapter 24, Traffic Violation Mandatory Sentences, and HCC 7.28.060, Violation; Penalty; to Establish a Consolidated Traffic Fine Schedule. City Clerk. Introduction October 14, 2013, Public Hearing and Second Reading October 28, 2013.

There was no public testimony.

ADOPTED without discussion.

- C. **Ordinance 13-41**, An Ordinance of the City Council of Homer, Alaska, Appropriating a U.S. Fish & Wildlife Learning Landscape Grant with 50% In-Kind Matching Requirement, Up to \$25,000, for the Purpose of Completing Landscaping Improvements at Karen Hornaday Park Playground. City Manager/Public Works Director. Introduction October 14, 2013, Public Hearing and Second Reading October 28, 2013.

Memorandum 13-142 from Public Works Director as backup.

There was no public testimony.

ADOPTED without discussion.

## **9. ORDINANCE(S)**

- A. **Ordinance 13-42**, An Ordinance of the City Council of Homer, Alaska, Amending the Definition of “Discontinued” in Homer City Code 21.61.015, Definitions, to Extend the Time Required to Discontinue a Nonconforming Use from 12 Months to 36 Months. Zak. Recommended dates: Introduction October 28, 2013, Refer to Planning Commission, Public Hearing and Second Reading November 25.

AMENDED 36 months to 24 months.

ADOPTED as AMENDED with discussion.

## **10. CITY MANAGER’S REPORT**

- A. City Manager’s Report

City Manager Wrede announced a road closure of East End Road between town and Kachemak Drive due to a landslide. Traffic has been diverted on Kachemak Drive.

There is opportunity to apply for a Homeland Security Grant of \$83,000. If awarded, the funds would be used to purchase a backup generator at the library. There is no match required. The Library has been identified as an important building in the Emergency Operations Plan; it could be a potential Emergency Operations Center.

The Kachemak Bay State Park Advisory Committee passed a motion to submit an application to have Kachemak Bay State Park designated as a dark sky park. They have asked for a letter of support from Council. City Manager Wrede will bring the request to Council as a resolution at the November 25<sup>th</sup> meeting. A representative from Kachemak Bay State Park will be present at the next meeting.

Public Works Project Manager Dan Nelsen reported on the status of several city projects to include:

- Downtown and Spit restrooms
- Harbor restroom shelter guard shacks at Lands End and the Deep Water Dock
- Spit Trail and Deep Water Dock Trail
- Paving of Deep Water Dock parking lot and bus area
- System 5 electrical improvements
- Boardwalk revitalization



- Karen Hornaday Park new shelter construction
- Crittenden/Waddell road paving project
- Redwood Tank removal project

There are currently 23 ongoing construction projects.

City Manager Wrede will follow through on the resolution sent to the Borough on the deed restriction for the HERC building.

## **11. CITY ATTORNEY REPORT**

## **12. COMMITTEE REPORT**

- A. Public Arts Committee
- B. Transportation Advisory Committee
- C. Permanent Fund Committee

Chair Barbara Howard reported there will not be a November meeting. She welcomed Matt North back to the committee.

- D. Lease Committee
- E. Port and Harbor Improvement Committee
- F. Employee Committee Report
- G. Port and Harbor Building Task Force

Chair Barbara Howard reported the next meeting is November 1<sup>st</sup> at 3:30 p.m. The task force will be reviewing the 25% stage of drawing for the harbor building.

## **13. PENDING BUSINESS**

## **14. NEW BUSINESS**

- A. **Memorandum 13-149**, from City Clerk, Re: Selection/Appointment of Mayor Pro Tempore for 2013/2014.

Francie Roberts was selected as Mayor Pro Tempore for 2013/2014 by unanimous consent.

## **15. RESOLUTIONS**

## **16. COMMENTS OF THE AUDIENCE**

There was one who commented.

## **17. COMMENTS OF THE CITY ATTORNEY**

City Attorney Klinkner was not present.

## **18. COMMENTS OF THE CITY CLERK**

City Clerk Johnson had no comments.

## **19. COMMENTS OF THE CITY MANAGER**

City Manager Wrede had no comments.

## **20. COMMENTS OF THE MAYOR**

Mayor Wythe welcomed the City Manager back. She corrected a statement inferred to her earlier this evening. At the Committee of the Whole she made comments on the employee benefits package. What she said at that meeting is “Our compensation already is not attracting qualified persons. Reducing the benefits further will further reduce the ability to do that.” It was inferred that she said quality employees. She has no doubt that we have quality employees; there are quality employees everywhere. However, there are not individuals qualified to conduct the business of the City of Homer everywhere. That is her concern, the ability to attract qualified employees.

## **21. COMMENTS OF THE CITY COUNCIL**

Councilmember Howard congratulated Bryan Hawkins. She suggested that someone go to the Port and Harbor Advisory Commission meeting and present again. She urged people to remove the political signs that still remain 27 days after the election.

Councilmember Lewis commented it is budget time and we all want something. He would love to see soccer fields, a hockey rink funded, a new librarian, and all the positions filled, but we don’t have the money. Unless we can find the funds some place else we won’t be doing that. When you ask us for something, please give us an idea of where we can get the money from.

Councilmember Burgess commented we should talk about health care; it is a huge issue. Historically we pursued a self insurance option that worked out pretty well where we were not paying a middle man as mark up. When health costs were lower and we could manage our plan and provide direct employee incentives this worked out well. About two years ago this did not work out well. We had massive cost overruns and put \$800,000 back into the general fund to cover the costs. Proposed in the current budget, we have asked city staff to

take a pretty substantial hit in the coverage that is afforded to them. Before, they had a Cadillac Rolls Royce plan by most standards. They are being brought into an industry standard line. They stick it to employees hard, just like they do to us in the private sector. Council would like to see a fixed cost scheme, but for now there are a lot of things up in the air. What are exchanges going to mean? It is a middle of the road thing. We also have to consider if we cut too many staff benefits we become a training ground for the oil industry. People put their foot in the door at the city; we train them well. Right about the time they are really useful to us they go and take a job in the private sector. We need to walk the fine line carefully. If you come here and want Council to spend money, where do we get the money? We are already on a lean budget. It is an illusion that we got more sales tax revenue. We have been taking money out of reserve funds and running down rainy day funds to meet operating expenses. There is no extra money left over. We have been operating in the long term in the negative.

Councilmember Zak commented he went the extra mile today with the rec folks of Homer by visiting the Sterling Community Center. He urged the rec group to never give up because there are all kinds of opportunities and ways. He congratulated Bryan Hawkins on his award and noticed that his comments were focused on the harbor team. This Friday there are opportunities to go the extra mile with the Rotary Health Fair. We can prepare for the future with our own health. On Saturday night you can go to the Pratt Museum's annual event, Ritz at the Moulin Rouge at Wasabi's. The budget is limited. The Chamber is marketing for the community. We are all working together; we are all rowing in the same direction daily. He loves the core values idea of the charter commission as it is a common thread that brings us all together.

Councilmember Roberts congratulated Bryan Hawkins on his award. He deserves it as he does a great job; he is very humble in accepting the award. She echoed the comments of David and Beau that we don't have that kind of money. We have not put much in depreciation funds in a number of years. We need to save to repair our home, but we are shy in the depreciation area. She went to the Spit and visited the parks this weekend, looking at Public Works' projects. They are nice additions to our town. She is impressed that Public Works accomplished all these things in one season.

## **22. ADJOURNMENT**

There being no further business to come before the Council, Mayor Wythe adjourned the meeting at 7:54 p.m. The next Regular Meeting is Monday, November 25, 2013 at 6:00 p.m. and Committee of the Whole 5:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.